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FINANCING OF THE ACTIVITIES ARISING FROM SECURITY COUNCIL RESOLUTION 687 (1991): UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION

Report of the Fifth Committee (Part II)

Rapporteur: Mr. Jorge OSELLA (Argentina)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 120 (a) appear in the report of the Committee contained in document A/47/823.

2. At its 68th, 69th, 72nd and 74th meetings, on 18, 23 and 27 August and 3 September 1993, the Fifth Committee considered the report of the Secretary-General on the financing of the United Nations Iraq-Kuwait Observation Mission (A/47/637/Add.1 and Corr.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/47/987).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/47/L.39

3. At the 74th meeting, on 3 September 1993, the representative of Zimbabwe introduced draft resolution A/C.5/47/L.39, entitled "Financing of the United Nations Iraq-Kuwait Observation Mission".

4. At the same meeting, the Committee adopted draft resolution A/C.5/47/L.39 without a vote (see para. 6).

5. Statements and observations made in the course of the Committee's consideration of this item are reflected in the relevant summary records (A/C.5/47/SR.68, 69, 72 and 74).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Iraq-Kuwait Observation Mission

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Iraq-Kuwait Observation Mission 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Bearing in mind Security Council resolutions 687 (1991) of 3 April 1991 and 689 (1991) of 9 April 1991, by which the Council decided to set up the United Nations Iraq-Kuwait Observation Mission and to review the question of its termination or continuation every six months,

Recalling its resolution 45/260 of 3 May 1991 on the financing of the Observation Mission and its subsequent resolutions thereon, the latest of which was resolution 47/208 of 22 December 1992,

Reaffirming that the costs of the Observation Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decision regarding the fact that, in order to meet the expenditures caused by the Observation Mission, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Observation Mission by certain Governments,

Mindful of the fact that it is essential to provide the Observation Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

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1/ A/47/637/Add.1 and Corr.1.

2/ A/47/987.

Expressing concern about the deteriorating financial situation with regard to peace-keeping activities owing to overdue payment by Member States of their assessments, particularly Member States in arrears,

Also expressing concern about the delays in submission of budget documents until well into the financial period of the Observation Mission, which have contributed to the deteriorating financial situation,

Expressing deep concern about the adverse effect that the deteriorating financial situation has on reimbursement to troop contributors, placing an additional burden on these countries and putting at risk the continuing supply of troops to the Observation Mission and consequently the success of the operation,

1. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions 2/ and approves on an exceptional basis the special arrangements for the United Nations Iraq-Kuwait Observation Mission with regard to the application of article IV of the Financial Regulations of the United Nations, whereby appropriations required in respect of obligations owed to Governments providing contingents and/or logistic support to the Observation Mission shall be retained beyond the period stipulated under financial regulations 4.3 and 4.4, as set out in the annex to the present resolution;

2. Requests the Secretary-General to take all necessary action to ensure that the Observation Mission is administered with a maximum of efficiency and economy, to improve management and to include in the report on this item to the General Assembly information on the steps taken to improve management;

3. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the Observation Mission promptly and in full;

4. Decides to appropriate to the Special Account referred to in General Assembly resolution 45/260 the amount of 19,800,000 United States dollars gross (18,600,000 dollars net) authorized and apportioned with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions under the terms of paragraph 8 of General Assembly resolution 47/208, for the operation of the Observation Mission for the period from 1 May to 31 October 1993;

5. Decides also to appropriate to the Special Account the amount of 20 million dollars gross (19,889,600 dollars net), inclusive of the amount of 4 million dollars authorized with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions under the terms of paragraph 1 of General Assembly resolution 46/187 of 20 December 1991, for the strengthening of the Observation Mission for the period from 1 May to 31 October 1993, inclusive;

6. Decides further, as an ad hoc arrangement, to apportion the amount of 20 million dollars gross (19,889,600 net) for the above-mentioned period among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269

of 27 August 1991, 46/198 of 20 December 1991 and 47/218 of 23 December 1992, and taking into account the scale of assessments set out in resolution 46/221 A of 20 December 1991 and decision 47/456 of 23 December 1992;

7. Decides that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 6 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 110,400 dollars for the period from 1 May to 31 October 1993 approved for the Observation Mission;

8. Decides also that there shall be set off against the apportionment among Member States, as provided in paragraph 6 of the present resolution, their respective share in the unencumbered balance of 11,304,367 dollars gross (10,311,740 dollars net) for the period from 9 April 1991 to 31 October 1993;

9. Authorizes the Secretary-General to enter into commitments for the operation of the Observation Mission at a rate not to exceed 6,250,825 dollars gross (6,064,700 dollars net) per month for the period from 1 November 1993 to 28 February 1994, should the Security Council decide to continue the Mission beyond 31 October 1993, subject to obtaining the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for the actual level of commitments to be entered into for the period beyond 31 October 1993, the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

10. Requests, in this regard, the Secretary-General to submit to the General Assembly, no later than 8 February 1994, budget proposals, including revised estimates for the period the Security Council might have decided to continue the mandate beyond 31 October 1993, as well as budget proposals for the subsequent period of six months;

11. Decides to establish the contributions of Andorra, the Czech Republic, Eritrea, the former Yugoslav Republic of Macedonia, Monaco and Slovakia to the Observation Mission in accordance with the rates of assessment to be adopted by the General Assembly for these Member States at its forty-eighth session;

12. Invites the new Member States listed in paragraph 11 above to make advance payments against their assessed contributions, to be determined;

13. Invites voluntary contributions to the Observation Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

14. Decides to include in the provisional agenda of its forty-eighth session the item entitled "Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission".

Annex

Special arrangements with regard to the application of article IV of the Financial Regulations of the United Nations

1. At the end of the twelve-month period provided in regulation 4.3, any unliquidated obligations of the financial period in question relating to goods supplied and services rendered by Governments for which claims have been received or which are covered by established reimbursement rates shall be transferred to accounts payable; such accounts payable shall remain recorded in the special account until payment is effected.

2. (a) Any other unliquidated obligations of the financial period in question owed to Governments for goods supplied and services rendered, as well as other obligations owed to Governments, for which required claims have not yet been received shall remain valid for an additional period of four years following the end of the twelve-month period provided for in regulation 4.3;

(b) Claims received during this four-year period shall be treated as provided under paragraph 1 of the present annex, if appropriate;

(c) At the end of the additional four-year period any unliquidated obligations shall be cancelled and the then remaining balance of any appropriations retained therefor shall be surrendered.